

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

v. :

PATRICK SUTHERLAND, :  
MARIA ACEVEDO, :  
TABITHA SANCHEZ, and :  
ALIZA BARYALAI :

Defendants. :

Criminal No. 3:17-CR-131

(Mannion, J.)

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

Conspiracy to Alter Postal Money Orders and to Commit Bank Fraud  
(Violations of 18 U.S.C. § 371 (18 U.S.C. § 500 and 18 U.S.C. § 1344))


The Charge

1. Between on or about December 2014, the exact date being  
unknown to the Grand Jury, and on or about August 9, 2016, in the  
Middle District of Pennsylvania, and elsewhere, defendants,

PATRICK SUTHERLAND,

MARIA ACEVEDO,

TABITHA SANCHEZ, and

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**ALIZA BARYALAI**

did unlawfully, knowingly, and willfully combine, conspire, confederate and agree with each other and with persons known and unknown to the Grand Jury, to commit certain offenses against the United States, that is, to falsely alter, in a material respect, United States Postal Money Orders and to fraudulently pass and utter the same, in violation of 18 U.S.C. § 500; and to commit bank fraud in violation of 18 U.S.C. § 1344.

**Manner and Means**

2. The manner and means of the conspiracy included, but were not limited to, the following:

a. The defendants and/or their coconspirators purchased United States Postal Service Money Orders in varying low face amounts at various post offices.

b. The defendants and/or their coconspirators then altered the money orders, in a material respect, by falsely changing the numeric and written denominations to a higher face value.

c. Once altered to reflect higher values, the defendants and/or their coconspirators deposited the United States Postal Money Orders into bank accounts at various financial institutions.

d. The defendant, PATRICK SUTHERLAND, in concert with coconspirators withdrew the fraudulently deposited funds from accounts at the various financial institutions.

Overt Acts

3. In furtherance of the conspiracy, and to effect the objects thereof, the defendants and coconspirators committed the following overt acts, among others, in the Middle District of Pennsylvania and elsewhere:

a. On or about December 19, 2014, at the West Scranton, Pennsylvania Post Office, persons unknown to the Grand Jury purchased at least 15 United States Postal Money Orders for the face amount of \$1.00 each.

b. On or about December 22, 2014, PATRICK SUTHERLAND deposited three United States Postal Money Orders, which were fraudulently altered, into the Olden Avenue, Trenton, New Jersey branch of Bank of America. The United States Postal Money Orders were deposited in Bank of America account number xxxxxxxx19435.

c. On or about December 22, 2014, PATRICK SUTHERLAND deposited three United States Postal Money

Orders, which were fraudulently altered, into the Capital Center, Trenton, New Jersey branch of Bank of America. The United States Postal Money Orders were deposited in Bank of America account number xxxxxxxx09267.

d. On or about December 23, 2014, PATRICK SUTHERLAND used a Debit Card and made an \$800 cash withdrawal from a Bank of America ATM located in Flatbush and Atlantic, in Brooklyn, New York. The money was withdrawn from Bank of America account number xxxxxxxx19435.

e. On or about December 23, 2014, PATRICK SUTHERLAND used a Debit Card and made an \$800 cash withdrawal from a Bank of America ATM located in Flatbush and Atlantic, in Brooklyn, New York. The money was withdrawn from Bank of America account number xxxxxxxx09267.

f. On or about December 19, 2014, at the West Scranton, Pennsylvania Post Office, persons unknown to the Grand Jury purchased at least three United States Postal Money Orders for the face amount of \$1.00 each.

g. On or about December 24, 2014, M.D. deposited three United States Postal Money Orders, which were fraudulently altered to a higher denomination, into the MacArthur Road, Whitehall, Pennsylvania branch of Bank of America. The United States Postal Money Orders were deposited in Bank of America account number xxxxxxxx84828.

h. On or about December 26, 2014, K. S., used a debit card and made a \$20.00 withdrawal from a Bank of America, Southside Bethlehem, Pennsylvania branch. The \$20.00 was withdrawn from Bank of America account number xxxxxxxx84828.

i. On or about December 27, 2014, at the Main Scranton, Pennsylvania Post Office, persons unknown to the Grand Jury purchased at least 13 United States Postal Money Orders for the face amount of \$1.00 each.

j. On or about December 28, 2014, M.D. deposited four United States Postal Money Orders which were fraudulently altered into the Port Jervis, New York branch of Bank of America, account number xxxxxxxx62274.

k. On or about December 30, 2014, K. S., used a Debit Card and made a \$600 cash withdrawal from a Bank of America ATM located in Moosic, Pennsylvania. The money was withdrawn from Bank of America account number xxxxxxxx62274.

l. On or about February 7, 2015, at the Maywood, New Jersey Post Office, persons unknown to the Grand Jury purchased at least four United States Money Orders for the face amount of \$1.00 each.

m. On or about June 2, 2015, at the Glenn Lyon, Pennsylvania Post Office, persons unknown to the Grand Jury purchased at least three United States Postal Money Orders for the face amount of \$1.00 each.

n. On or about June 3, 2015, at the Williston, South Carolina Post Office, persons unknown to the Grand Jury purchased at least two United States Postal Money Orders for the face amount of \$1.00 each.

o. On or about June 17, 2015, the defendant, TABITHA SANCHEZ, deposited four United States Postal Money Orders,

which were fraudulently altered, into the Great Falls, Virginia, branch of Bank of America.

p. On or about June 13, 2015, at the New York, New York Post Office, persons unknown to the Grand Jury purchased at least three United States Postal Money Orders for the face amount of \$1.00 each.

q. On or about June 17, 2015, the defendant, TABITHA SANCHEZ, deposited three United States Postal Money Orders, which were fraudulently altered to a higher denomination, into the Quince Orchard, Gaithersburg, Virginia, branch of Bank of America.

r. On or about June 19, 2015, TABITHA SANCHEZ opened bank account number xxxxxxxx02391 at the Bridgeport, Pennsylvania, branch of Bank of America.

s. On or about May 5, 2015, members of the conspiracy opened account number xxxxxxxx67024, at the Reading, Pennsylvania branch of Bank of America.

t. On or about May 8, 2015, the defendant, MARIA ACEVEDO, deposited three United States Postal Money Orders,

which were fraudulently altered to a higher denomination, into the Sturbridge, Massachusetts, branch of Bank of America, account number xxxxxxxx67024.

u. On or about May 11, 2015, members of the conspiracy made two separate \$500.00 ATM withdrawals at the Berkshire Mall, located in Wyomissing, Pennsylvania, from Bank of America account number xxxxxxxx67024.

v. On or about December 31, 2014, at the Tobyhanna, Pennsylvania Post Office, persons unknown to the Grand Jury purchased at least six United States Postal Money Orders for the face amount of \$1.00 each.

w. On or about December 31, 2014, at the Gouldsboro, Pennsylvania Post Office, persons unknown to the Grand Jury purchased at least two United States Postal Money Orders for the face amount of \$1.00 each.

x. On or about January 5, 2015, the defendant, ALIZA BARYALAI, deposited four United States Postal Money Orders, which were fraudulently altered to a higher denomination, into the



Flanders, New Jersey, branch of Bank of America, account number xxxxxxxx08128.

y. On or about January 5, 2015, the defendant, ALIZA BARYALAI, deposited four United States Postal Money Orders, which were fraudulently altered to a higher denomination, into the Hacketstown Main, New Jersey, branch of Bank of America, account number xxxxxxxx08322.

All in violation of Title 18, United States Code, § 371.

# THE GRAND JURY FURTHER CHARGES

## COUNTS TWO THROUGH TEN

Altering a Postal Money Order and Aiding and Abetting  
(Violations of 18 U.S.C. §§ 500 and 2)

4. Paragraphs 1 through 3 of this Indictment are re-alleged in this Count, as if fully set forth herein.

5. From on or about October 20, 2014, and continuing until August 9, 2016, in the Middle District of Pennsylvania, and elsewhere, the defendant,

**PATRICK SUTHERLAND,**

aided and abetted by persons known and unknown to the Grand Jury, did falsely alter, in a material respect, United States Postal Money Orders as follows, each alteration constituting a separate count:

<u>Count</u>	<u>Purchase Date</u>	<u>Post Office of Purchase</u>	<u>Serial Number</u>
2	12/03/2014	North Scranton, PA	22271051193
3	12/16/2014	North Scranton, PA	17419800238
4	12/19/2014	West Scranton, PA	22551054480
5	12/19/2014	West Scranton, PA	22551054502
6	12/27/2014	Main Scranton, PA	22526100810
7	12/27/2014	Main Scranton, PA	22526100900
8	12/27/2014	Main Scranton, PA	22526100944
9	12/27/2014	Main Scranton, PA	22526100832

10 12/27/2014

Main Scranton, PA

22526100821

which were provided and issued by and under the direction of the United States Postal Service and payable in the United States, did falsely alter the written and numeric denominations of the money orders on the face of said money orders.

In violation of Title 18, United States Code, §§ 500 and 2.

## THE GRAND JURY FURTHER CHARGES

### COUNTS ELEVEN THROUGH FOURTEEN

Altering a Postal Money Order and Aiding and Abetting  
(Violations of 18 U.S.C. §§ 500 and 2)

6. Paragraphs 1 through 5 of this Indictment are re-alleged in this Count, as if fully set forth herein.

7. From on or about May 8, 2015, and continuing to June 1, 2015, in the Middle District of Pennsylvania, and elsewhere, the defendant,

**MARIA ACEVEDO,**

aided and abetted by persons known and unknown to the Grand Jury, with intent to defraud, did pass and utter to Bank of America, as true and genuine, United States Postal Money Orders fraudulently altered to a value of \$1000, issued by and under the direction of Postal Service and payable in the United States, MARIA ACEVEDO then well knowing the said face value to be fraudulently altered, each Postal Money Order being a separate count:

<u>Count</u>	<u>Purchase Date</u>	<u>Post Office of Purchase</u>	<u>Serial Number</u>
11	04/29/2015	Franklin Square, NY	22822860600
12	04/29/2015	Franklin Square, NY	22822860644
13	05/11/2015	Irvington, NJ	22913004464
14	05/26/2015	Newark, NJ	22930561642

In violation of Title 18, United States Code, §§ 500 and 2.

**THE GRAND JURY FURTHER CHARGES**

**COUNT FIFTEEN THROUGH SEVENTEEN**

**Altering a Postal Money Order and Aiding and Abetting  
(Violations of 18 U.S.C. §§ 500 and 2)**

8. Paragraphs 1 through 7 of this Indictment are re-alleged in this Count, as if fully set forth herein.

9. On or about June 2, 2015, and continuing to June 19, 2015, in the Middle District of Pennsylvania, and elsewhere, the defendant,

**TABITHA SANCHEZ,**

aided and abetted by persons known and unknown to the Grand Jury, with intent to defraud, did pass and utter to Bank of America, as true and genuine, United States Postal Money Orders fraudulently altered to a value of \$1000, issued by and under the direction of Postal Service and payable in the United States, TABITHA SANCHEZ then well knowing the said face value

to be fraudulently altered, each Postal Money Order being a separate count:

<u>Count</u>	<u>Purchase Date</u>	<u>Post Office of Purchase</u>	<u>Serial Number</u>
15	06/2/2015	Glen Lyon, PA	51130303817
16	06/2/2015	Glen Lyon, PA	51130303795
17	06/2/2015	Glen Lyon, PA	51130303784

In violation of Title 18, United States Code, §§ 500 and 2.

**THE GRAND JURY FURTHER CHARGES**

**COUNT EIGHTEEN THROUGH TWENTY**

Altering a Postal Money Order and Aiding and Abetting

(Violations of 18 U.S.C. §§ 500 and 2)

10. Paragraphs 1 through 9 of this Indictment are re-alleged in this Count, as if fully set forth herein.

11. On or about December 31, 2014, and continuing to January 5, 2015, in the Middle District of Pennsylvania, and elsewhere, the defendant,

**ALIZA BARYALAI,**

aided and abetted by persons known and unknown to the Grand Jury, with intent to defraud, did pass and utter to Bank of America, as true and genuine, United States Postal Money Orders fraudulently altered to a value of \$1000, issued by and under the direction of Postal Service and payable in the United States, ALIZA BARYALAI then well knowing the said face value to be fraudulently altered, each Postal Money Order being a separate count:

**Count Purchase Date Post Office of Purchase Serial Number**

18	12/31/2014	Tobyhanna, PA	22222635658
19	12/31/2014	Tobyhanna, PA	22222635671
20	12/31/2014	Gouldsboro, PA	22384416172

In violation of Title 18, United States Code, §§ 500 and 2.



**THE GRAND JURY FURTHER CHARGES**

**COUNT TWENTY ONE**

**Bank Fraud and Aiding and Abetting  
(Violations of 18 U.S.C. §§ 1344 and 2)**

12. Paragraphs 1 through 11 of this Indictment are re-alleged in this Count, as if fully set forth herein.

13. Between in or about December 2014, the exact date being unknown to the Grand Jury, and August 9, 2016, in the Middle District of Pennsylvania, and elsewhere, defendants,

**PATRICK SUTHERLAND,**

**MARIA ACEVEDO,**

**TABITHA SANCHEZ, and**

**ALIZA BARYALAI**

aided and abetted by each other, did knowingly execute a scheme and artifice to defraud a financial institution, namely Bank of America, and to obtain moneys, funds, and other property owned by and under the custody and control of Bank of America by means of false and fraudulent pretenses, representations and promises, to wit, the defendants withdrew monies from accounts at Bank of America in which

fraudulently altered United States Postal money orders had been deposited, for the purpose of obtaining money.

In violation of Title 18, United States Code, Section 1344(2) and 2.

**THE GRAND JURY FURTHER CHARGES**

**FORFEITURE ALLEGATION**

14. The allegations contained in Counts 1 through 21 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 492, 981(a)(1)(C), and 982(a)(2)(A) and Title 28, United States Code, Section 2461.

15. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 500 and 1344 set forth in Counts 2 through 18 of this Indictment, the defendants,

**PATRICK SUTHERLAND,**

**MARIA ACEVEDO,**

**TABITHA SANCHEZ, and**

**ALIZA BARYALAI**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Sections 492, 981(a)(1)(C), and 982(a)(2)(A) and Title 28, United States Code, Section 2461, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such offenses

and any property used or intended to be used to commit, to facilitate, or to promote the commission of such offenses.

16. By virtue of the commission of the offenses charged in Counts 2 through 21 of this Indictment by the defendants, PATRICK SUTHERLAND, MARIA ACEVEDO, TABITHA SANCHEZ, and ALIZA BARYALAI any and all right, title, and interest the defendants may have had in the any of the property involved in or traceable to the offenses alleged in Counts 2 through 18 of this Indictment is vested in the United States and is hereby forfeited to the United States pursuant to Title 18, United States Code, Sections 492, 981(a)(1)(C), and 982(a)(2)(A) and Title 28, United States Code, Section 2461.

17. If any of the property described above, as a result of any act or omission of the defendants:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. §§ 492, 981(a)(1)(C), and 982(a)(2)(A) and 28 U.S.C. § 2461.

A TRUE BILL

BRUCE D. BRANDLER  
United States Attorney

  
By: TODD K. HINKLEY  
Assistant U.S. Attorney

4/25/17